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**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**BILLINGS DIVISION**

<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>ISAIAH THOMAS FOLLET,</b>  <b>Defendant.</b>	<b>CR 18-05-BLG-SPW</b>       <b>OFFER OF PROOF</b>
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## **THE CHARGE**

The defendant, ISAIAH THOMAS FOLLET, is charged by Indictment with the sole count of Failure to Register/Update Registration as a Sexual Offender, in violation of 18 U.S.C. § 2250(a).

## **PLEA**

The defendant, ISAIAH THOMAS FOLLET, will enter a voluntary plea of guilty to the sole count in the Indictment. The motion for change of plea filed with the Court represents, in the government's view, the most favorable disposition of the case against the defendant. *See, e.g., Missouri v. Frye*, 132 S. Ct. 1399 (2012).

## **ELEMENTS**

The defendant will plead guilty because the defendant is in fact guilty of Failure to Register/Update Registration as a Sexual Offender. In pleading guilty, the defendant acknowledges that:

**First**, the defendant is a person required to register under SORNA;

**Second**, the defendant is a sex offender by reason of a conviction under federal law; and,

**Third**, the defendant knowingly failed to register or update his registration.

## **PENALTY**

The only count in the Indictment charges the crime of Failure to Register/Update Registration as a Sexual Offender, in violation of 18 U.S.C. §

2250(a). This offense carries up to ten years imprisonment, a \$250,000 fine, and five years to lifetime supervised release.

Also pending before the Court is the Petition to Revoke in *United States v. Isaiah Thomas Follet*, CR-09-24-BLG-SPW. The maximum imprisonment for that revocation proceeding is 24 months, which may run consecutive to any other sentence. 18 U.S.C. §§ 3559(a)(3), 3583(e)(3), and 3584(a).

### **ANTICIPATED EVIDENCE**

If this case were tried in United States District Court, the United States would prove the following:

The defendant, Isaiah Thomas Follet, was previously convicted of a crime in the U.S. District Court for the District of Montana that requires lifetime registration under the Sexual Offender Registration and Notification Act. *See, e.g.*, 34 U.S.C. § 20911(4)(A)(i), (8); 34 U.S.C. § 20915(a)(3).

In 2009, the United States prosecuted Follet for Failure to Register/Update Registration as a Sex Offender. *See, e.g., United States v. Isaiah Thomas Follet*, CR-09-24-BLG-SPW. As a result of the conviction, Follet is under lifetime supervision. (Doc. 101 at 3). In Follet's most recent judgment for failing to update his registration, one of his conditions requires the following: "The defendant shall comply with Sexual Offender Registration requirements for convicted offenders in any state in which the defendant resides." (Doc. 101 at 4).

After serving a prison sentence for violating his terms of supervision, the Bureau of Prisons released Follet on June 27, 2017. Follet did not report to the U.S. Probation Office as instructed. Nor did he update his address with the Montana Sexual and Violent Offender Registry as required by SORNA. Law enforcement ultimately arrested Follet on December 13, 2017. At no time between June of 2017 and December of 2017 was Follet compliant with his SORNA registration requirements.

Follet knew of his registration requirements because it is a condition of supervision, the tribal and federal courts have consistently informed him of this requirement, and he has been previously prosecuted for failing to update his address as required by SORNA.

DATED this 20th day of April, 2018.

KURT G. ALME  
United States Attorney

/s/ Ryan G. Weldon  
RYAN G. WELDON  
Assistant U.S. Attorney